

NEW YORK HERALD.

BROADWAY AND ANN STREET.

JAMES GORDON BENNETT,
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Four cents per copy. Annual subscription price \$14.THE WEEKLY HERALD, every Saturday, at Five
Cents per copy. Annual subscription price—One Copy..... \$2
Three Copies..... 5
Five Copies..... 8
Ten Copies..... 15Any larger number addressed to names of subscribers
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Cents per copy, \$4 per annum to any part of Great
Britain, or \$6 to any part of the Continent, both to
include postage.

Volume XXXIII..... No. 13

AMUSEMENTS THIS EVENING.

ACADEMY OF MUSIC, Fourteenth street.—The Duet
Flowers.NEW YORK THEATRE, opposite New York Hotel.—
Under the Garland.OLYMPIC THEATRE, Broadway.—A Midsummer
Night's Dream.WALLACK'S THEATRE, Broadway and 13th street.—
Oleanna.

THEATRE FRANCAIS, Fourteenth street.—Elizabeth.

BROADWAY THEATRE, Broadway.—Pep's Day.

BOWERY THEATRE, Bowery.—Idiot of the Mount-
ain.—Mother Bill and Me.PIKES OPERA HOUSE, 234 st., corner Eighth av.—
La Traviata.BARNARD'S OPERA HOUSE AND MUSEUM, Broad-
way and Third street.—Front King.FIFTH AVENUE THEATRE, Nos. 2 and 4 West 5th
street.—Paris of Bazaar.NEW YORK CIRCUS, Fourteenth street.—Olympian
Exhibition.THEATRE COMIQUE, 514 Broadway.—Hanson Com-
munion.KELLY & LEON'S MINSTRELS, 72 Broadway.—Songs,
Dances, Eccentricities, Burlesques, &c.SAN FRANCISCO MINSTRELS, 55 Broadway.—The
Famous Entertainers, Singing, Dancing and Burlesques.TOMMY PASTORS' OPERA HOUSE, 201 Bowery.—Comic
Vocalists, Negro Minstrelsy, &c.BUTLER'S AMERICAN THEATRE, 472 Broadway.—
Ballet, Farce, Pantomime, &c.BUNYAN HALL, Broadway and Fifteenth street.—The
Fugitive.

PARK THEATRE, Brooklyn.—Amateur.

HOOVER'S OPERA HOUSE, Brooklyn.—Ethiopian
Minstrelsy, Ballads and Burlesques.NATIONAL HALL, Harlem.—Grand Harmonious Con-
cert.NEW YORK MUSEUM OF ANATOMY, 615 Broadway.—
Science and Art.

New York, Monday, January 13, 1868.

THE NEWS.

EUROPE.

The news report by the Atlantic cable is dated yester-
day, January 12.Baron Bismarck, Russian Minister in Paris, is pro-
moted to an important post in St. Petersburg. The
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Premier of Italy addressed Parliament on the internal
condition of the kingdom, but made no reference to the
Roman question or foreign relations.Reconstruction Outside the Constitution—
Romanizing the Nation.Reconstruction moves onward unswervingly
in its revolutionary career. The House of
Representatives will have before it to-day, from
its "Reconstruction Committee," the bill to
establish an imperium, within the limits of the
United States. It seems that the system of
five military districts is not, in its operation,
sufficiently destructive to suit the radical pur-
pose. It does not stamp out the States. It
does not crush beyond all semblance of recog-
nition the old social and political forms with
which we were familiar in the ten Southern
communities. That system does not satisfac-
torily put the white man's head under the
nigger's heel. State lines are left—State
courts, State governors and State spirit. If
the law presses too hard—if the radical will
too despotically put in force by some tyrant
school in the small dominion of his regim-
ent—there is a remedy for the people; the
national Executive reduces the suddenly ex-
alted captain general to his little level, and
puts in his place some man less ready to
pander to the mad extravagance of political
passion. And this, in the radical view, is all
wrong. Radicalism holds that it blundered
when it recognized the States even as geo-
graphical quantities and defined its districts by
State lines. It argues that it has no power
unless it has all power; admits that its pur-
pose is so little consonant with our national
spirit that it cannot be executed so long as
there is authority left anywhere to dispute it.
Hence it now proposes to merge its five military
districts into one grander district exactly analo-
gous to the Roman imperium. Under the Roman
republic all the great dependencies—as Gaul,
Spain, Germany, Syria, Greece and Africa—
were held by absolute military power, subject
only to a commander and the Senate. No courts
existed save by the will of the commander.
There were no local governments except on
suffrage and as managed by his creatures to
plunder the country more completely. And
this is a model of the form of government that
the Congress of the United States now pro-
poses to set up in a territory comprising ten
States of this Union—ten States of a nation
whose primary political principle is the sov-
ereignty of the people. In setting up this im-
perium within our borders Congress abolishes
the States in all their political and legal forms,
sweeps away the governmental system and
the courts, all the machinery that gives stabi-
lity to order and security to property, and puts
in the place of everything one military com-
mander—General Grant. It declares the con-
stitution of the United States null and void by
saying that in ten States of the Union the
President no longer has executive authority,
and that he will be guilty of a misdemeanor if
he exercises in those States the duties the con-
stitution imposes upon him. And in all this
there is no principle—no great point of na-
tional safety to secure—nothing whatever but
the nigger and a party result. In view of
order and law and an old established system
the nigger cannot rise. But return to chaos,
throw down all the present relations of things,
reduce society to the primitive barbarous level,
so that the nigger and the white man may start
even, then give the nigger an army for his
ally, and perhaps he may come out ahead.
This is the idea that underlies the new bill.But what else is Congress doing in order to
do this? We may regard this Congressional
action in two main points as to the
power and as to the property—considering
whether that body has the authority to make
such sweeping changes, and whether the harm
and danger the changes involve do not in-
finitely overbalance any other possible result.Constitutions are made for one sole purpose—
that of limiting the action of Legislatures. In
nominal terms States, ostensibly without
written constitutions, the lawmaking power is
supreme. Hence the declaration of Hallam:—
"The absolute power of the Legislature in
strictness is as arbitrary in England as in
Persia." This is felt to be the case in Eng-
land, though there is there a constitutional
limit of usage, and though certain points are
fixed by such instruments as the Magna Charta,
the Bill of Rights, the Act of Settlement and
the several Reform bills. But there, though
essentially constitutional limits, are not so far
above ordinary law in their unchangeable
character that they can be relied upon as secu-
rities against legislative violence. And this
was also the case in Rome. All the political
establishments that grew up in the constitution
of Servius Tullius and the laws of the Twelve
Tables were subject to legislative abrogation.
It was apparent to the founders of our govern-
ment that the first great source of danger to
free States was party fury making itself felt
through legislative majorities, and that unless
they could establish some fixed point for so-
ciety beyond that danger they would labor in
vain. They saw that unless they could limit
the power of the lawmaking body our
government would be no more viable than had
been the countless ones of which history pre-
serves the record. Hence they laid down the
charter of popular rights to control, not the
tyranny of an unscrupulous king, but the
tyranny of the majority. For this sole purpose
did the people of the United States make a
written constitution to draw the lines within
which the lawmaking power might act; to de-
fine the points beyond which it should not go;
to guard with a sanction higher than that of
ordinary law the rights of a minority that
might at any time but for this protection be
subject to the fury and caprice of a majority.
And this charter of national life was made
especially to carry the nation through such
storms of internal dissension as we are in now.
It was not made for peace, for times of quiet
and prosperity and national ease—any law,
any system is good enough for such periods;
it was made to carry the nation through times
of struggle and danger. And to assert that in
such times the constitution may be laid aside,
that it furnishes no sufficient guide for public
action, is to assert that it is ridiculous to
make it. This is to assure the nation that
Hamilton, Jay, Madison, all the great men of
the constitution, were idlers and duffers; and
this is the present position of the leaders of the
majority in Congress. Stevens has plainly de-
clared that all the Reconstruction acts are
made outside the constitution. This is saying
that rightfully they have no force. Congress,
acting outside the law that gives it its
authority, is no longer Congress. Its ulti-
macies are not law, and it is a duty to the nation
to resist it. Where must the resistance
begin. Congress by this law puts itself and
its creatures in direct conflict with the con-
stitution and the President as the Executive ofthat constitution. The same duty that required
the Executive to defend the constitution as
against Southern rebels requires him to assert
its supremacy when menaced from other quar-
ters. It did not require the intervention of the
Supreme Court to tell what must be done when
Fort Sumter was fired on. This law proposes
to put General Grant in command of the new
district, deriving his authority directly from
Congress. General Grant is an officer of the
United States army, of which the President is
the Commander-in-Chief. General Grant can
take no orders from any source save the Ex-
ecutive, and he will be recreant to his duty if
he does not so declare. The President must go
on in the exercise of his rightful Executive
powers in the United States, North or South;
and if Congress, establishing its new recon-
struction machine, forces a conflict, that con-
flict will be of radical making, and the Presi-
dent will have behind him those majorities of
the Northern people that so lately made
themselves heard against radical extremity in
California, Connecticut, Ohio, Pennsylvania
and our own great Empire State.As to the natural and inevitable danger
to freedom that lies in the setting up of great
military power in any district within our bor-
ders, the history of Rome is eloquent in its ex-
ample. Such districts were the gradations
by which Rome stepped from the republic to
the empire. In them were nurtured and
kept in train the armies that, beginning to
fight for Rome, grew into the military
subordination that at length made them
content to fight for their general, whatever the
quarrel. In those vast spheres of command
generals acquiring ambition with power be-
came too great for the safety of the State.
Thus it was that Rome's conquests proved
Rome's ruin, and the State that could defy the
power of the world besides fell a victim to her
successes. Caesar grew in Gaul to such a
height that Rome could hold him only as an
emperor. Let the people of the North reflect
on the unquestionable fact that the danger in
this matter is to their own liberties, not to those
of the Southern people; for the South is so
beaten down now that it is out of fortune's
power; there is hardly a depth of political
degradation that its people have not sounded
under radical military rule, and they seem to
feel that any change may possibly be for
the better. The danger is to those who are still
free. The danger is that as we grow daily in
anarchy, as we grow from bad to worse under
the misgovernment of a Congress that forgets
its plain duty to the nation in the pursuit of
parisian schemes, the people by and by may
grow to envy even those who live under the
tranquillity of a despotism, and may look on
with satisfaction when the commander of an
army posted to keep down the Southern
people (perhaps recruited to a great extent in
the Southern States) shall suddenly march to
Washington, seize the Capitol and disperse
that chattering, jabbering, corrupt and con-
temptible rabble, the Congress of the United
States.

The Gift Enterprise Swindle.

There is at last a fair prospect that the gift
swindling enterprise will be effectually sup-
pressed. A good beginning in this direction
has been made by Postmaster Kelly, who has
laid an embargo upon a large amount of let-
ters addressed to several of these enterprising
concerns from their dopes throughout the
country. The action of the Postmaster is
based on the ground that these "gift enter-
prise establishments" are carried on under
fictitious names or firms. The parties hav-
ing been refused the letters so addressed ap-
pealed to Washington for relief. The Post Office
Department referred the matter to District
Attorney Courney, instructing the Postmaster
to act conformably with that officer's
advice in the matter. The result is that
the letters daily accumulating are detained
awaiting the action of counsel, to the in-
terference of the enterprising gentlemen who
traffic with such success on the credulity of
their dupes. There is probably no greater
swindle practised in our midst than that per-
petrated through these gift concerns, which
are carried on, as a general rule, under fictitious
names and titles. The most successful plan is
the "circular dodge." Circulars are sent
through the Post Office according to the ad-
dress to be found in every city, town and
village directory, setting forth in tempting
phrases the rich prizes that for a small sum,
from a dollar upwards, the party addressed
has a chance to draw from a lottery
where there are no blanks. It is incredible
the amount of money these unscrupulous
speculators obtain in this way by the sale of
worthless tickets. At the time specified a
pretended drawing is announced, immediately
after which fresh circulars are again addressed
to the dupes of the first fraud. Informing them
that they have drawn a prize running up in
amount from ten dollars to ten thousand dollars,
but that they must remit to the concern five
per cent in cash of the value of the prize. This
bait takes immensely, and plethoric mailbags
attest the success of the double swindle. The
prize eventually turns out to be a share or a
number of shares in some bogus petroleum
company or lumber speculation, or some other
unknown or worthless affair of the kind. The
Mayor of the city has been repeatedly ap-
plied to to suppress this evil, but hitherto without
effect; and it now rests with District Attorney
Corney, acting on the decided steps taken by
Postmaster Kelly, to bring the matter before
the United States District Court, where, as it
now stands, it properly belongs, and if the
"gift enterprise" violates the provisions of
any statute, the penalties therefor will be
rigidly enforced, so that this swindling business
may be now and forever suppressed.

Congress and the Supreme Court.

Upon several incidental cases, it appears,
there is a prospect that the question of the con-
stitutionality of the Reconstruction laws of
Congress will shortly be brought before the
Supreme Court. There is, it next appears, an
apprehension prevailing among the radicals
(looking back to the Milliken case, five to
four, and Judge Wayne, one of the four, since
deceased) that the court, if called upon to
decide upon said Reconstruction acts, will de-
clare against them; and to avoid this danger it
is said that we may look for the taking up of
a bill in the House of Representatives to-day
providing that the concurrence of two-thirds
of the members of the Supreme Court, instead
of a majority, shall be necessary to establish
the unconstitutionality of an act of Congress.
The movement here suggested is of the highest
importance, and we are prepared to see itpushed through; for without some such measure
as this to shield the new imperial reconstruc-
tion bill to be introduced to-day it might be
completely squelched within a month.Progress and Prospects of the Abyssinian
Expedition.According to the latest advices from Col-
onel Morewether, of the British Abyssinian
expedition, bands of natives supposed to be
hostile were prowling around the English
camp at Senafe, and in consequence of this
intelligence, which was transmitted by special
telegram from our correspondent at Alexan-
dria, in Egypt, and published in Saturday's
HERALD, orders had been issued for all the
European troops temporarily stationed at
Annesley Bay and at the different points along
the line of march from there to the interior to
advance to the front and join the headquarters
division at Senafe. To this news we ap-
pended an account, by the Senafe correspond-
ent of the London Times, of the English
camping ground at that point, and also an
account of the King of Abyssinia's army, to-
gether with the latest information respecting
the prisoners held by King Theodoros. Ac-
counts up to October 11 had been received
from Mr. Foad. The King had carried off with
him from Debra Tabor all Europeans, some in
chains and others free. Among the latter was
Mr. Foad, who writes that the women and
children were all well, and that the prisoners
had of late been better treated by the King.This improved treatment of the prisoners
accords with the descriptions by Abyssinian
travellers of the originally amiable personal
character of the King, notwithstanding his
fanatical pride and ambition. Charity to the
poor and hospitality to the stranger are said
to be conspicuous redeeming traits of the
Abyssinians. It would not be surprising if at
least one of these virtues—hospitality to stran-
gers—should be checked rather than en-
couraged by the war waged by the English
upon Theodoros, the descendant of Solomon
and the Queen of Sheba, the rejected suitor of
his own Queen (Victoria), the head of the
English Church. And yet not one of the least
influential motives which determined the Eng-
lish to engage in what may yet prove, as we
have already intimated, as long and tedious
and costly as our own Indian wars, was avowed
to be a religious motive—that is to say, the
British government had to exhibit to Queen
Victoria's subjects the religious side of the
Abyssinian question before war was decided
upon. The prayers of all pious people
in England are now enlisted in behalf of the
war, not only because they hope it will effect
the release of the missionaries among the
prisoners of King Theodoros, but that it will
result in either killing or converting him and
all his subjects, whether ignorant Jews, lax
Moslems or more or less devoted adherents
of the corrupted Christianity which, in a purer
form, was first introduced into Abyssinia in
the fourth century, in the days of Constantine.It is probable that Constantine's mis-
sionaries brought the sword as well as the
Gospel into Abyssinia, as the missionaries
of Mahomet at a later period brought the
sword and the Koran. But the missionary
army which Queen Victoria has sent against
her unsuccessful Abyssinian suitor and his
people is armed like that which was sent to
force the Chinese to swallow opium and Chris-
tian dogmas at one gulp, and like that which
in India blew the Sepoys into kingdom come
because their own religious scruples forbade
them to use greased cartridges. This mission-
ary army is armed not only with the sword—which,
by-the-by, might be equalled by the blades
manufactured at Gondar or Kiarata—but also
with the Bible and with all the most improved
and most destructive instruments of modern
warfare.If the British can only penetrate far
enough amid the fastnesses of Abyssinia
they may learn something of "bushwhack-
ing" as it can be practised in that Swissland
of Africa. Their disciplined twelve thousand
may drive the undisciplined sixty thousand
who are said to compose the Abyssinian army,
together with the whole people, numbering
four or five millions, to the remotest wilds of
the fabled Mountains of the Moon. Their
bibles and bulletins and cannon balls may be
brought into full play, creating more consternation
than all the thunderbolts of Jove when he de-
scended from Olympus, and, accompanied by the gods,
made a twelve days' missionary expedition to
the Ethiopians. It is a pity that Homer devoted
only three or four lines in the first book of the
Iliad to this heavenly Abyssinian expedition,
the original prototype of the one in which the
British government is now engaged. A fuller
and more minute description of it might have
enabled the engineers of the English army to
prepare the way to a more speedy opening of
a market in Abyssinia for ladies' trinkets,
Worcestershire sauce, pistols, prayer books,
pocket handkerchiefs with the Ten Command-
ments printed on them, and all other British
manufactures. Meanwhile, King Theodoros
will probably have to abandon his matrimonial
claims upon Queen Victoria, the head of the
English Church, as well as his ambitious pro-
jects against Mecca and Jerusalem; and the
philanthropists of Exeter Hall may do what
they can to abolish negro slavery in Abyssinia.
If the British missionary army does not find it
necessary to "slam out" and annihilate the
Abyssinians entirely, it may be hoped that
one of these days Ethiopia will stretch forth
her hands to God.

General Meade's Doings in Georgia.

The white man's party of Georgia, in secur-
ing the removal of General Pope and the sub-
stitution of General Meade as commander of
the Third Military District, seem to have
suffered the misfortune of the frogs in the
fable, who, in answer to their prayer for the
removal of King Log, got in exchange King
Stork, who without ceremony proceeded to
gobble them up. Governor Jenkins was
threatened by Pope from time to time, but
Meade makes short work of the intractable
civilian by turning him out and putting the
Adjutant General of Pope in his place. A
telegram from Atlanta, however, states that
a report was current there yesterday
that the President had interposed, and
directed General Meade to suspend his
order removing the Governor. Pope hesi-
tated to enforce the ordinance of the
Georgia Convention for the relief of debtors in
staying the collection of debts; but Meade
promptly put it into execution. Again, Pope
only threatened to make the State Treasury
furnish the funds for the payment of the mem-bers of the Reconstruction Convention, while
Meade orders the money to be produced.
From Pope to Meade, therefore, the Georgians
of the white man's party are out of the frying
pan into the fire. The President was evidently
mistaken in his man in the appointment of
Meade, and the Commander-in-Chief of the
Army is now called upon to set this matter
right and give General Meade employment
elsewhere, whatever may be the designs of the
radicals in Congress.The St. Thomas Cession in the Danish
Rigsdag.In common with the whole American people,
we entertained the opinion that the cession of
the islands of St. Thomas and St. John, in the
Danish West Indies, as arranged for in the
sale, bargain and treaty concluded between the
Executive in Washington and the Cabinet in
Copenhagen, would be perfected on the 1st of
January by the transfer of the territory to a
representative of the United States duly ac-
credited to hand over many millions of gold
and take possession. We were aware that
King Christian, of Denmark, had accorded to
the inhabitants the right of voting by manhood
suffrage, negroes and all, for or against, and
also of declaring their allegiance to the repub-
lic or with the crown; but the special corre-
spondence from St. Thomas already published
in the HERALD induced the conviction that the
colonial citizens thus complimented would not
impede the royal wish in any respect.We are, therefore, somewhat surprised to
learn by the Atlantic cable that the bargain has
not been ratified even yet, and that the whole
subject is under debate in the Danish Rigsdag,
the members of the legislature in Copenhagen
having a good deal to say with respect to it,
just as have our Senators. These learned
northerners appear to take the matter very
coolly and in a spirit of true Scandinavian
phlegm, for our cable telegram informs us that
the debate has been adjourned without saying
when it will be resumed.There is thus evidently a hitch somewhere in
the matter of our West India real estate
dealings. Secretary Seward must look out for
the cause. What can it be? Has the Prince of
Wales had sufficient interest with his royal
fringe-in-law to induce him to repent of affor-
ding us such a grand naval hold in the Spanish
Main? Perhaps the Schleswig-Holstein ques-
tion is likely to be amicably adjusted with
North Germany, and that Denmark will not
require our gold for purposes of negotiation,
defence or war. King Christian may have
heard that we want the gold badly ourselves
just at present, and it may be he hesitates to
deplete the treasury of a friendly Power; or
the members of the Rigsdag may have learned
that the property has been shaken almost to
pieces by earthquakes and a great portion of
it washed away by inundations since the bar-
gain was made, and, as a matter of legislative
conscience, may hesitate to take our cash—
specie, too, at that—when they cannot give
full value in return.The Rigsdag had better be cautious, how-
ever, and finish the matter fair and square; for
if they attempt anything mean or tricky—
which we do not expect—they will be
necessitated to read volumes of correspon-
dence from Mr. Seward; and their friends in
London, Lord Stanley particularly, can in-
form them as to the effect of that
sort of labor. Should the learned Secretary
be compelled to write concerning the Danish
West India bargain, the despatches will be
accompanied with maps and explanatory notes
and scientific disquisitions on the natural phe-
nomena of earthquakes, volcanic eruptions,
submarine upheavings and the currents and
course of hurricanes and their effects—sub-
jects which Mr. Seward has not treated officially
hitherto. The official documents will also be
in duplicate—in the English and Danish lan-
guages—and the members of the Rigsdag
must, of course, compare the respective texts.
Of such probable consequences the Rigsdag is
now duly warned, and its members had better
govern themselves accordingly.

Mayor Hoffman and the Japanese Jumpers.

Mayor Hoffman, having been elected by a
majority of sixty-three thousand votes, evi-
dently considers that he ought to exercise the
power and privileges of an emperor. Augustus
threw the mantle of his imperial protection
over Horace. He had his Macenas always at
hand to dole out his patronage to deserving
poets and other people who contributed to the
amusement and enlightenment of the Roman
public. It is in the same spirit, evidently, that
Hoffman imperator extends his patronage to
everything that comes along in the way of public
amusements. He considers that a part of
his newly assumed duties is to superintend
everything in this line, and patronize the fine
arts as they are represented by Black Crooks,
White Fawns and Japanese Jumpers. He, no
doubt, regards this as one of the missions
which, as Mayor of the city, he inherits from
the old Dongan and Montgomerie charters. And
why not? What better occupation can the
Mayor devote himself to in this remarkable
era of taxation than the business of the
theatres which return so handsome a revenue
on the tax list? The "Black Crook" alone re-
alized a quarter of a million, and paid, of course,
its legitimate proportion upon that sum in the
shape of tax. Mayor Hoffman has some
experience in this business, for he has
increased the taxes of the city four
millions during his late term of office.
Perhaps he has, in so doing, fulfilled the
wishes of the sixty-three thousand majority
that re-elected him. However, if he is going to
add to his other duties that of inspector of
acrobat's and other performers, the Corporation
ought to give him a separate salary for acting
in that capacity, and in consideration thereof
the Mayor should go further. For instance,
while the managers of Niblo's Garden have
consented the "Black Crook" to oblige them
have a "White Fawn" to put in its place, with
new dances and new costumes. It will be
necessary for Mayor Hoffman to inspect all
these dancing girls, look into their steps and
pinionettes, carefully investigate the measure
of the dresses, their petticoats, bodices and
other paraphernalia which go to make up ballet
girls. If he does not do this as inspector of
amusements and amusement makers under the
old charters, with a newly added salary, he
will clearly be neglecting his duty, and all the
theatres, concert saloons and opera houses will
become jealous of the Japanese jumpers to
whom the Mayor did such especial honor as to
minutely examine their qualities to twist them-
selves into all sorts of shapes, eat fire, swallow
knives and accomplish other impossibilities.besides accepting from their hands the dis-
tinguished present of a sword.